

**TOWN OF MANLIUS
ZONING BOARD OF APPEALS
March 18, 2021
6:30 PM**

The Town of Manlius, Zoning Board of Appeals assembled on ZOOM for a virtual meeting with Chairman K.P. Kelly presiding and the following Board members present:

Absent	Member	Jim Campbell
	Member	Judy Salamone
	Member	Timothy Kelly
	Member	Clare Miller
	Secretary	Debi Witzel
	Attorney	Jamie Sutphen
	Codes Director	Randy Capriotti

Attendees: William Beeman

The Pledge of Allegiance was recited. The meeting was called to order at 6:30 PM.

Minutes

Member T. Kelly made a motion, seconded by Member Miller, to approve the minutes of February 18, 2021 as submitted by Secretary Witzel and it was carried unanimously.

Legal Notices

Member T. Kelly made a motion, seconded by Member Miller to waive the reading of the public notices and it was carried unanimously.

William Beeman, 7047 Fremont Rd., E. Syracuse (tax map # 036.-01-14.0) to construct a 30' X 40' garage needing three variances. With an existing rear yard setback of 5' the applicant is requesting 35' to meeting the required 40'. With an existing side yard setback of 5' the applicant is requesting 15' to meet the required 20'. Applicant is requesting a height variance of of 4' about the limit of 17' to a height of 20' 2 1/4 ".

Chairman Kelly gave a brief overview of the variance requests.

Member T. Kelly made a motion, seconded by Member Miller to open the public hearing at 6:35 PM and it was carried unanimously.

Mr. Beeman explained that they would like to put a 30' X 40' garage style building in the southwest corner of the property. Mr. Beeman explained that the existing shed and garden will be removed.

Chairman Kelly asked what the exterior of the building will look like. Mr. Beeman stated it will have vinyl siding with shingles the same as the house. Mr. Beeman stated it will have two garage doors and a concrete floor and no electricity at this time. Chairman Kelly asked what the additional height is needed for. Mr. Beeman stated that he would like to be able to store his travel trailer in the garage.

Member T. Kelly asked if they will be installing a driveway back to the garage? Mr. Beeman answered he will add a gravel driveway from the existing driveway to the new garage.

Member Miller asked if the trailer would fit through one door. Mr. Beeman answered the two doors will work better to angle the trailer in than one large door.

Member T. Kelly asked if the building could be moved to the right. Code Director Capriotti stated if the building were moved to the right then they would have to drive over the leach field to get to the garage, so no that cannot be done.

Chairman Kelly stated the board received a letter from a neighbor Mr. Bennett who owns the land behind the Beeman's and he stated he would prefer the garage be 15 feet not 5 feet from the rear property line. Chairman Kelly stated that Mr. Bennett did not state a reason for not wanting the building so close to his property line and he is not in attendance at the meeting to explain.

Member Salamone made a motion, seconded by Member Miller to close the public hearing at 6:46 PM and it was carried unanimously.

Board Questions

Chairman Kelly proceeded with the board through the five (5) criteria questions:

- 1) Whether the benefit sought by the Applicant can be achieved by some other feasible method? The board answered no because of where the septic is located.
- 2) Whether the Variance will result in an undesirable change in the character of the neighborhood or to nearby properties? The board answered no.
- 3) Whether the requested Variance is substantial? The board answered no.
- 4) As to whether the Variance will have an adverse effect on physical or environmental conditions? The board answered no.
- 5) Whether the alleged difficulty was self-created? The board answered yes because they want the garage.

Determination of ZBA Based on the Above Factors:

The ZBA, after taking into consideration the above five factors, finds that:

 X The benefit to the applicant **DOES** outweigh the Detriment to the Neighborhood or Community.

 The benefit to the applicant **DOES NOT** outweigh the Detriment to the Neighborhood or Community and therefore the variance requested is denied.

The ZBA further finds that a variance for Rear yard of 35', Side yard of 15' and height of 4' is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

The ZBA further **GRANTS** the variance as requested with the following conditions: None.

SEQRA Review

Chairman Kelly determined the proposed project and action contemplated is comprised of a Type II Action pursuant to the New York State Environmental Quality Review Act, and as such no further review was required.

Board Action

Based on the answers provided in the application and before the board, the ZBA determined that the benefit to the applicant outweighed any detriment to the neighborhood.

Member Miller made a motion, seconded by Member T. Kelly, to grant an area variance to William Beeman, 7047 Fremont Rd., E. Syracuse NY for the purpose of permitting the construction of a 30' X 40' garage needing three variances. Therefore, modifying the rear yard setback to that of 5' leaving a variance of 35', modifying a 20' sideline setback to that of five feet leaving a variance of 15' and modifying the height variance of 17' to that of 20' ¼", leaving a variance of 4'.

The Board voted as follows:

Chairman KP Kelly	Aye
Member T. Kelly	Aye
Member Miller	Aye
Member Salamone	Aye

The motion was carried.

Adjournment

With there being no other business, Member T. Kelly made a motion, seconded by Member Salamone, and carried unanimously, to end the meeting at 6:57 PM

Respectfully submitted,
Debi Witzel, Secretary
Zoning Board of Appeals